



NEW NCLB 1% Cap (Updated 3/17/04)

Peggy Dutcher

Michigan Department of Education

Office of Educational Assessment and Accountability

Assessment for Students with Disabilities Program

www.mi.gov/mi-access



**MI-Access
is NOT for
ALL
special education
students!**

238,327 Michigan Students Served Through IDEA (12/1/02)

13.9% of the total Michigan school population

| Category | Percent |
|---|---------|
| Specific Learning Disability | 40.5% |
| Speech & Language Impairment | 24.4% |
| Cognitive Impairment* | 11.4% |
| Emotional Impairment | 8.2% |
| Physical & Other Health Impairment | 6.9% |
| Autism | 2.7% |
| •Mild (8%), Moderate (2%), Severe (<1%) | |



(continued on next page)

Michigan Students Served Through IDEA

| Category | Percent |
|-----------------------------------|---------|
| Early Childhood Development Delay | 1.6% |
| Severe Multiple Impairments | 1.6% |
| Hearing Impairment | 1.4% |
| Other Health Impairments | 0.6% |
| Visual Impairment | 0.4% |
| Physical Impairment | <0.4% |
| Traumatic Brain Injury | <0.4% |



All Students in Michigan Grades 4, 7 and 8

Approximately 3 - 4%* of the total student population are participating in the state's alternate assessment

3-4%

96-97%

Approximately 96 - 97%* of the TOTAL student population are participating in the MEAP or MEAP with assessment accommodations.

*Based on preliminary 2002/2003 data.

All IDEA Students Grades 4, 7 and 8

26 - 35%*
participating in MI-
Access

Approximately 66 - 74 %* are
participating in MEAP or MEAP with
assessment accommodations.



MI-Access Phase 2

MI-Access Phase 1

*Based on preliminary 2002/2003 data.

AYP Quiz: Question 1

What does the "A" in AYP stand for?

- A. Annual
- B. Average
- C. Adequate

AYP Quiz: Question 2

AYP applies to the individual student?

- A. True
- B. False

AYP Quiz: Question 3

The individual student receives an AYP status of "proficient" or "not proficient?"

- A. True
- B. False

AYP Quiz: Question 4

What state assessment scores are used to calculate AYP?

- A. MEAP scores only
- B. MI-Access Scores only
- C. MEAP and MI-Access scores

AYP Quiz: Question 5

What content areas are used when calculating AYP?

- A. ELA and mathematics
- B. social studies
- C. Science
- D. All of the above

AYP Quiz: Question 6

A student took a MEAP assessment with a nonstandard accommodation and the student scores in Category 2. How is the score counted when calculating AYP?

- A. Proficient
- B. Not proficient

AYP Quiz: Question 7

What is the grade 4 English Language Arts AYP Target for 2003/2004 ?

- A. 78% proficient
- B. 58% proficient
- C. 38% proficient

AYP Quiz: Question 8

What is the grade 4 mathematics AYP target for 2003/2004?

- A. 77%
- B. 67%
- C. 47%

AYP Quiz: Question 9

What does the New NCLB regulation, referred to as the “1% Cap,” impact?

- A. NCLB participation rates
- B. NCLB Adequate Yearly Progress
- C. Both A and B

AYP Quiz: Question 10

The NCLB “1% cap regulation” is 1% of what student population enrolled in the grades assessing English language arts and/or mathematics?

- A. Special education population
- B. Total student population

NCLB Reporting v Accountability

Reporting (Participation Rate)

- **ALL** students must be assessed in the state assessment **SYSTEM**
- At least 95% reported
 - School and District
 - State
 - Disaggregated categories
- **Regardless** of the amount of time enrolled in the District

Accountability (AYP)

- 95% Participation Rate
- State Assessment System
 - MEAP
 - MEAP with Accommodations
 - MI-Access
- Enrolled for a **Full Academic Year**
- Additional Indicator
 - Attendance (Elementary and M.S.)
 - Graduation (high school)



Students with Disabilities

- Students with disabilities is one of the subgroups that is disaggregated for
 - NCLB Participation rate
 - NCLB Adequate Yearly Progress
- Special Education students only, **NOT** Section 504 students



NCLB Participation Rate by Content Area

- MEAP +
- MEAP w/standard accommodations +
- MEAP w/nonstandard accommodations +
- MI-Access Participation +
- MI-Access Supported Independence +
- MI-Access Interim Phase 2 BRIGANCE
- Total school enrollment in the grade assessed =
NCLB PARTICIPATION RATE



Michigan's AYP Proficient Targets

(Based on MEAP and MI-Access)

| School Year | Mathematics | ELA |
|-------------|-------------|------|
| 2002/2003 | 47% | 38% |
| 2003/2004 | 47% | 38% |
| 2004/2005 | 56% | 48% |
| 2005/2006 | 56% | 48% |
| 2006/2007 | 56% | 48% |
| 2007/2008 | 65% | 59% |
| 2008/2009 | 65% | 59% |
| 2009/2010 | 65% | 59% |
| 2010/2011 | 74% | 69% |
| 2011/2012 | 82% | 79% |
| 2012/2013 | 91% | 90% |
| 2013/2014 | 100% | 100% |

AYP: Safe Harbor (Based on MEAP and MI-Access)

- Increase scores at least 10% from the previous year.

Final NCLB Regulation on Alternate Assessment (12/9/03)

- Students with the most “**significant cognitive**” disabilities.
 - **As defined by the State**
- 1% cap is the percent of alternate assessment proficient scores included in the calculation of AYP, **NOT** NCLB Participation rates.
- Applies at the **STATE** and **DISTRICT** levels, **NOT** at the school building level.
- The regulation provides for exceptions to the 1% cap at the state and district levels.

What it Does **NOT** Do!

- It **does NOT** limit the number of special education students participating in alternate assessment.
- Decision **MUST** be based on the state's guidelines for determining participation in state assessment for students with disabilities.
- Guidelines can be located at www.mi.gov/mi-access

Decision to Participate in MI-Access

Don't forget:

- IDEA requires districts to provide a Free and **Appropriate** Public Education (FAPE) for all special education students.
- IDEA requires all special education students have access to the general curriculum.
- All must be **Appropriate** for the student!
 - Curriculum
 - Instruction
 - **Assessment**



Academic Content Standards

- All state assessments must be aligned with the State's academic content standards.
- Should promote **access to the general curriculum**.
- MI-Access assessments ARE aligned with Michigan's academic content standards.

Alternate Achievement Standards

- An expectation of performance that **differs** in the complexity for the grade level achievement standard for general education students.
- **ALL** MI-Access assessments have alternate achievement standards.

What Does the U.S. Department of Education Need from States?

- Explanation of circumstances that result in more than 1.0 % of all students achieving proficient using alternate achievement standards.
- Data showing incidence rates of students with most “significant” cognitive disabilities, as defined by the state.
- Documentation the state has programs that attract students with the most significant cognitive disabilities, if applicable.

What Does the U.S. Department of Education Need from States? (Continued)

- Information on how the state is implementing alternate achievement standards.
 - State's guidelines for participation in state assessment.
 - Information on how parents are informed that their child will be assessed based on alternate achievement standards.
 - Documentation of the number and percent of students participating in alternate assessment.
 - Documentation on how students with disabilities are included in the general curriculum.
 - Documentation of efforts to develop, disseminate, and promote appropriate accommodations.
 - Documentation of professional development opportunities efforts taken to ensure teachers know how to administer state assessments, including accommodations.

How Does a District Apply for An Exception to the 1% Cap?

- USDOE strongly encourages states to establish a system that is equally rigorous for LEAs when applying to the state for an exception.
- MDE is in the process of writing its proposal for applying to the USDOE for an exception to the 1% cap and will share it once it has been finalized.
- MDE will provide all districts information on what the process will be to apply for an exception when the process is finalized.

In the meantime, what can districts do to prepare for applying for an exception?

- Start collecting the documentation the USDOE is requiring states to provide them.
(see ppt slides #25 and #26)
- Collect the statement required in the student's IEP that indicates “why” the student is **NOT** participating in the state's general assessment(s).

Resources

- MI-Access Web page:
www.mi.gov/mi-access
- MI-Access Information Center:
www.mi-access.info



Contact Information

Peggy Dutcher, Coordinator
Assessment For Students with Disabilities Program
Office of Educational Assessment and Accountability
Michigan Department of Education



dutcherp@mi.gov

517-241-4416